

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
NEW JERSEY STATE  
BOARD OF NURSING

IN THE MATTER OF THE  
LICENSE OF

SHAKIRAH ARTHUR, L.P.N.  
License # NP 06530500

TO PRACTICE NURSING IN THE  
STATE OF NEW JERSEY

Administrative Action

FINAL ORDER  
OF DISCIPLINE

This matter was opened to the New Jersey State Board of Nursing ("the Board") upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Respondent is a licensed practical nurse in the State of New Jersey, and has been a licensee at all times relevant hereto.

2. On or about May 9, 2014, the Board sent a letter of inquiry asking respondent to supply information concerning an arrest on March 21, 2014 on charges of shoplifting. The letter also asked for documentation, in the form of certificates of completion, of continuing education completed in the last three years. The letter was sent by certified and regular mail to respondent's address of record. Both mailings were

returned, marked that the forwarding time had expired, and indicating a new Willingboro address.

3. Respondent replied to the letter of inquiry, but did not provide documentation of any nursing continuing education courses.

4. Respondent was convicted of shoplifting on April 7, 2014 and was sentenced to eight days confinement, 10 days community service, and was assessed a total of \$358 in fine/costs.

5. Respondent was also arrested on January 30, 2014, and charged with possession of a controlled dangerous substance and related charges. On March 13, 2014, respondent was found guilty of N.J.S. 2C:35-10B, use/influence of a controlled dangerous substance, and assessed a total of \$708 in fine/costs.

6. Respondent indicated on her renewal application on June 25, 2013 that she had completed all required nursing continuing education for the 2011-2013 licensing cycle by May 31, 2013.

#### CONCLUSIONS OF LAW

1. Respondent's convictions for shoplifting and for a drug-related offense both relate adversely to the practice of nursing and subject respondent to sanctions pursuant to N.J.S.A. 45:1-21(f).

2. Respondent's failure to document required continuing education for the 2011-2013 licensing cycle constitutes a violation of N.J.A.C. 13:37-5.3, subjecting respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and (h).

3. Respondent's indication on her 2013 renewal application that she would have completed required continuing education for the 2011-2013 renewal period by May 31, 2013 constitutes misrepresentation within the intendment of N.J.S.A. 45:1-21(b).

4. Pursuant to N.J.S.A. 45:1-22(f), in light of respondent's March 13, 2014 conviction, the Board may order respondent, as a condition for reinstated or continued licensure, to submit to monitoring or psychological evaluation to ascertain whether her continued practice may jeopardize the safety and welfare of the public.

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on December 24, 2014, provisionally suspending respondent's nursing license, and imposing two reprimands and a total of \$500.00 in civil penalties. A copy of the Order was served upon the respondent by certified and regular mail at her address of record. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30<sup>th</sup> business day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

Both the certified mailing of the Provisional Order was returned, unclaimed. The regular mailing was not returned. The orders were then sent by certified and regular mail to a return address on an envelope from respondent sent to the Division of Consumer Affairs and postmarked May 29, 2014, as well as to respondent's address of record. The certified

and regular mailings were returned, marked "not deliverable as addressed."<sup>1</sup> The Board considered this matter, and determined that constructive service had been effected, as the orders were sent to respondent's address of record with the Board. The Board further determined that as no discrepancies had been raised with respect to the findings and conclusions of the Provisional Order, additional proceedings were not necessary, and the Provisional Order should be made final.

ACCORDINGLY, IT IS on this 4<sup>th</sup> day of May, 2015,

ORDERED that:

1. Respondent's New Jersey nursing license is hereby suspended until she has demonstrated completion of thirty (30) contact hours of continuing education to be attributed to the 2011-2013 renewal requirements; and until she has demonstrated to the Board's satisfaction that she is fit and competent to practice nursing by undergoing evaluation under the auspices of the Recovery and Monitoring Program of New Jersey (RAMP).
2. A public reprimand is hereby imposed upon respondent for the violation of N.J.S.A. 45:1-21(b).
3. A public reprimand is hereby imposed upon respondent for the violation of N.J.S.A. 45:1-21(f) with respect to the shoplifting conviction.
4. A civil penalty in the amount of \$250.00 is hereby imposed for the violation of N.J.S.A. 45:1-21(f), as well as a civil penalty in the amount of \$250 for the violation of N.J.A.C. 13:37-5.3, for a total penalty amount of \$500.00. Payment shall be in the form

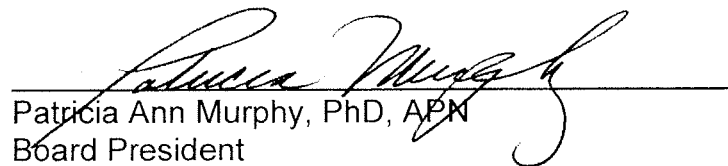
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<sup>1</sup> The green certified mailing card for the second mailing, sent on 2/28/15, was somehow returned, bearing an illegible signature. However, the envelope and its contents were also returned, separately. This cannot be explained, however the mailings were obviously not received.

of a certified check or money order, made payable to the State of New Jersey, and forwarded to the attention of George Hebert, R.N., Executive Director, Board of Nursing, P.O. Box 45010, 124 Halsey Street, Newark, NJ 07101, and shall be forwarded within twenty-one (21) days of the filing of this order.

NEW JERSEY STATE BOARD OF NURSING

By:

  
Patricia Ann Murphy, PhD, APRN  
Board President